

**EXHIBIT C**

*gab/jal*  
Introduced by: J. William Bell  
Date of Introduction: 11/8/2005

*ms. Powell*

**ORDINANCE NO. 05-123**

**AN ORDINANCE TO AMEND CHAPTER 2  
OF THE NEW CASTLE COUNTY CODE  
REGARDING POLICE AND THE  
DEPARTMENT OF PUBLIC SAFETY**

**WHEREAS**, on August 6, 2003, by Ordinance 03-067, County Council authorized the position of Director of Public Safety; and

**WHEREAS**, on January, 2005, the General Assembly of the State of Delaware passed House Bill 29 amending Section 1122 of Title 9 of the Delaware Code to re-authorize the County Executive to merge, establish and modify departments of the County and to prescribe the functions and management systems of such departments, subject to the approval of County Council; and

**WHEREAS**, the County Executive and County Council deem it important to reorganize the Police Department to more efficiently and effectively meet the needs of the citizens of New Castle County.

**NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

**Section 1.** *New Castle County Code*, Chapter 2 ("Administration"), Division 2.05.200 ("Police Department"), Section 2.05.201 ("Functions") is hereby revised by the addition of the underlined text and the deletion of the text contained within brackets as set forth below:

**Division 2.05.200. [Police] Department of Public Safety.**

**Sec. 2.05.201. Functions.**

[A.] The Police Department, managed by a Chief of Police, shall perform the following functions:

1. Organize, administer, supervise, and discipline the police force of the County;
2. Enforce traffic regulations and investigate accidents;
3. Make legal searches, seizures, and arrests, and exercise such legal authority incident thereto;
4. Maintain and operate lockups for the temporary confinement of prisoners;
5. Maintain peace, protect life, property and all other rights and liberties of the people, and do and perform all other lawfully assigned acts;
6. Operate and maintain an integrated communications system designed to facilitate the prompt, efficient, and effective performance of its function and
7. Organize, administer, supervise, and discipline a fire department created pursuant to 9 Del.C. §1335.

B. The Police Department may perform the following functions:

1. Provide school crossing guard service in the manner and to the extent authorized by ordinance;

2. Prepare and maintain a County comprehensive emergency operations plan and other plans as appropriate to provide guidance and direction to units of County Council, and which are integrated into and coordinated with emergency management plans of the federal government, State of Delaware and political subdivisions in the County;
3. Operate an emergency medical service for individuals who become unexpectedly ill or incapacitated, to include the provision of advanced life support paramedic services; and
4. Establish other functions related to public safety.]

The Department of Public Safety shall be managed by a Director of Public Safety. The Department shall be comprised of the Division of Police, the Division of Emergency Medical Services, the Division of Emergency Communications and the Office of Emergency Management.

1. a. The Division of Police shall be supervised by a Chief of Police, who shall report to and be supervised by the Director of Public Safety. The Division of Police shall perform the following functions:
  - i. Organize, administer, supervise, and discipline the police force of the County;
  - ii. Enforce traffic regulations and investigate accidents;
  - iii. Make legal searches, seizures, and arrests, and exercise such legal authority incident thereto;
  - iv. Maintain and operate lockups for the temporary confinement of prisoners;
  - v. Maintain peace, protect life, property and all other rights and liberties of the people, and do and perform all other lawfully assigned acts;
b. The Division of Police may perform the following functions:
  - i. Provide school crossing guard service in the manner and to the extent authorized by ordinance; and
  - ii. Establish other functions related to public safety.
2. The Division of Emergency Medical Services shall be supervised by the Chief of Emergency Medical Services, who shall report to and be supervised by the Director of Public Safety. The Division of Emergency Medical Services shall operate an emergency medical service for individuals who become unexpectedly ill or incapacitated, to include the provision of advanced life support paramedic services.
3. The Division of Emergency Communications shall be supervised by the Chief of Emergency Communications, who shall report to and be supervised by the Director of Public Safety. The Division of Emergency Communications shall operate and maintain an integrated communications system designed to facilitate the prompt, efficient, and effective performance of its function.
4. The Office of Emergency Management shall be supervised by a Coordinator of Emergency Management, who shall report to and be supervised by the Director of Public Safety. The Office of Emergency Management shall prepare and maintain a County comprehensive emergency operations plan and other plans as appropriate to provide guidance and direction to units of County government, and which are integrated into and coordinated with emergency management plans of the federal government, State of Delaware and political subdivisions in the County.

**Section 2. Effective Date.** This ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive.

Adopted by County Council  
of New Castle County on: *11/22/05*



President of County Council  
of New Castle County

Approved on:

*John J. Coughlin*  
County Executive  
New Castle County

*11/30/05*

**Synopsis:** This Ordinance renames the Police Department the Department of Public Safety, places the management of the Department under the authority of the Director of Public Safety, and creates three divisions, Police, Emergency Medical Services and Emergency Communications and one office, Emergency Management, within the Department.

**Fiscal note:** This Ordinance, if adopted would change the name of the Department of Police to the Department of Public Safety. If approved, this legislation may result in additional administrative expenses due to changing the name of the Department on all correspondence/signage/etc.

*Michael Stone*  
*11/30/05*